

REMARKS

Claim 2 is canceled. New claims 17-25 are added. Support for the new claims is provided by the originally-filed application at, for example, pages 3-4 and Figs. 1-2.

Claims 10 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

New independent claim 25 is such rewritten allowable claim 10. Accordingly, new claim 25 is allowable.

Claims 1-9, 11, and 15 are rejected under 35 U.S.C. §102(b) as being fully anticipated by *Ikeda* (U.S. Patent No. 5,638,223). Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Ikeda*.

Independent claim 1 is amended to recite at least one first housing structure having portions comprising a plurality of seats on which one or more further housing structures are adjusted ... and wherein the at least one first seat is angled relative to at least one other seat, the angle being greater than 0°. The amendment language is supported by the originally-filed application at, for example, pages 3-4 and Figs. 1-2. *Ikeda* teaches components 41-47 are attached to body 48 (col. 6, lns. 8-13 and Fig. 4) via a combination of support members (e.g., 66), contact members (e.g., 63a-b), bolts (e.g., 61a-c) and washers (e.g., 62a-c) (see col. 6, ln. 15+). **However**, *Ikeda* does not teach any one portion of body 48 for receiving components 41-47 as being angled relative to any other portion of body 48 for receiving components 41-47. That is, body 48 as illustrated in Fig. 4 of *Ikeda* has all the portions of body 48 for receiving components 41-47 **as being horizontally parallel**, and therefore, one portion or seat of body 48 is not angled relative to any other portion or seat of body 48. Accordingly, *Ikeda* fails to teach or suggest wherein the at least one first seat is

angled relative to at least one other seat, the angle being greater than 0° as positively recited by claim 1. Consequently, Ikeda fails to teach or suggest positively recited limitations of claim 1, and therefore, claim 1 is allowable.

Claims 3-16 and 17-19 depend from claim 1, and therefore, are allowable for depending from allowable independent claim 1.

For example, claim 7 recites wherein provided as said further external surfaces are two mutually parallel seats which lie at an angle of (<) less than 30°, in particular at least approximately **parallel, to a further optical axis**. The Examiner relies on a portion of body 48 for supporting barrel unit 43 as a seat and an optical axis AX3 of Ikeda to allegedly teach this limitation (pgs. 3-4 of paper no. 021706). However, the alleged seat for barrel unit 43 is a horizontal surface of body 48 (Fig. 4) and axis AX3 is vertically extending (Figs. 3-4). Accordingly, the seat is substantially perpendicular to axis AX3, **not parallel** as positively recited by claim 7. Moreover, the horizontal surface of body 48 for receiving barrel unit 43 can only be reasonably stated to be a single seat, not **two** mutually parallel seats as recited by claim 7. For either one of these reasons, claim 7 is allowable.

Furthermore, claim 8 recites wherein said at least one first seat is arranged at least approximately **perpendicular**, at an angle of (>) greater than 60° to the mutually parallel seats. The Examiner relies on a portion of body 48 for supporting barrel unit 42 as a first seat and a portion of body 48 for supporting barrel unit 43 of Ikeda to allegedly teach two perpendicular seats (pg. 4 of paper no. 021706). However, the alleged seats for barrel units 42 and 43 are horizontal surfaces of body 48 (Fig. 4), and therefore, **parallel** to one another, not **perpendicular** as positively recited by claim 8. Claim 8 is allowable.

Regarding claim 9, such claim recites wherein a fourth seat is provided at an angle to said at least one first seat and to the two mutually parallel seats. The Examiner relies on a

separate and discrete extension of Ikeda as the alleged seat which supports mirror 46 at an angle relative to a horizontal axis to allegedly teach this limitation (pg. 4 of paper no. 021706; Fig. 4 of Ikeda). The extension is secured to body 48 (Fig. 4 of Ikeda). However, claim 1 from which claim 9 depends recites one first housing structure having portions comprising a plurality of seats such that the positively recited **fourth seat** *is a portion of the one first housing structure*. The separate and discrete extension of Ikeda which is secured to body 48 can not be reasonably argued to teach a portion of body 48. Accordingly, this disclosure of Ikeda fails to teach or suggest the positively recited limitation of claim 9, and therefore, claim 9 is allowable.


New independent claim 20 recites a fourth seat arranged at an angle of $45^{\circ} \pm 15$ to the first seat and to said two mutually parallel seats, and wherein arranged on said fourth seat is a deflecting mirror for producing a third optical axis for a second housing structure. The Examiner correctly states this limitation is not taught by Ikeda (pg. 6 of paper no. 021706). Therefore, claim 20 is allowable.

Claims 21-24 depend from allowable claim 20, and therefore, claims 21-24 are allowable for depending from allowable independent claim 20.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

Dated: 5-30-06

By: 
D. Brent Kenady
Reg. No. 40,045